

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

FEB 7 2001

OFFICE OF  
MANAGING DIRECTOR

86-285

John W. Hough, President  
Mesa Broadcasting Company  
P.O. Box 767  
55 E. Onwentsia Rd.  
Lake Forest, IL. 60045

Request for Refund of Regulatory Fees  
Fee Control No.: 0009198835488003

Dear Mr. Hough:

This is in response to your request for refund of the Fiscal Year 2000 (FY 2000) regulatory fees of \$1,400 for FM Translator Stations K252BP, Mesa, CO, K292CY, Rifle/Anvil Point, CO, K296AK, Montrose, CO, K249BX, East Salt Creek, CO, and K296AX, Moab, UT. The stations are licensed to Mesa Broadcasting Company (Mesa). In your request, you certify that Mesa's only FCC licenses are for these five translator stations, that Mesa receives no income from any advertising, and that any contributions from members of the communities served are welcomed and acknowledged.

In implementing the regulatory fee program, the Commission stated that it would waive its regulatory fees for any community-based translator station that:

- (1) is not licensed to, in whole or in part, and does not have common ownership with, the licensee of a commercial broadcast station;
- (2) does not derive income from advertising;
- and (3) is dependent on subscriptions or contributions from members of the community served for support.

Implementation of Section 9 of the Communications Act, FCC 95-257, ¶ 16, released June 22, 1995.

Although your request indicates that contributions from members of the public are welcomed and acknowledged, it does not provide any representation or evidence that the stations are community based translator stations that are dependent on subscriptions or contributions from members of the community. Nor do you specifically represent that the stations do not have common ownership with the licensee of a commercial broadcast station. The burden is on the licensee to document fully the eligibility for waiver, otherwise the regulatory fee is due. Id. Your request does not document eligibility for waiver of regulatory fees for Mesa's translator stations. Therefore, your request for

Mr. John W. Hough

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refund of FY 2000 regulatory fees is denied. However, in light of your general allegations, your request for a refund may be refiled together with appropriate documentation supporting your eligibility for waiver of regulatory fees within 30 days from the date of this letter.

If you have any questions concerning the regulatory fees, please call the Revenue & Receivable Operations Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark A. Reger', with a stylized flourish at the end.

Mark A. Reger  
Chief Financial Officer

0009/9885078300

MESA BROADCASTING COMPANY

C/O John Hough  
P.O. Box 767  
55 E. Onwentsia Rd.  
Lake Forest, IL 60045

SEP 15 1999

September 14, 2000

Office of the Managing Director  
Federal Communications Commission  
445 12th Street, S.W., Room 1-A625  
Washington, D.C. 20554  
Attn: Regulatory Fee Waiver/Reduction Request

Dear Managing Director:

According to the instructions of the FY 2000 Mass Media Regulatory Fees Public Notice of August 2, 2000, Mesa Broadcasting Company is eligible for a waiver of fees for its 5 FM translators.

These translators are:

K252BP	Fac. ID41272 Mesa, CO
K292CY	Fac. ID 41273 Rifle/Anvil Point, CO
K296AK	Fac. ID 41274 Montrose, CO
K249BX	Fac. Id 41275 East Salt Creek, CO
K296AX	Fac. Id 41271 Moab, UT

The Public Notice states that the FCC will automatically waive the regulatory fee for the licensee of any translator that: (1) is not licensed to, in whole or in part, and does not have common ownership with, the licensee of a commercial broadcast station; (2) does not derive income from advertising; and (3) is dependent on subscriptions or contributions from the members of the community served for support. We believe we meet all these criteria.

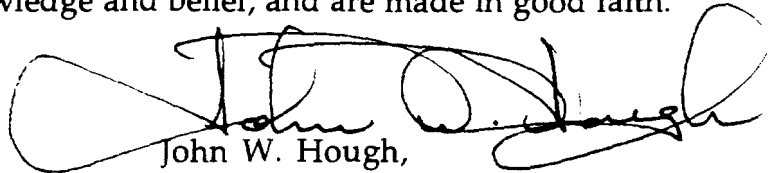
We certify that Mesa Broadcasting Company's only FCC licenses are these five translator stations. The stations were originally constructed to serve small communities that had little or no FM service. Mesa Broadcasting has continued to serve the public the this way, even after it sold off it AM/FM broadcast properties eight years ago. Further, we certify that we receive no income from any advertising, and we certify that any contributions from members of the communities we serve are welcomed and acknowledged

Therefore, since Mesa Broadcasting Company meets the regulatory fee waiver conditions, we request reimbursement of the \$1,400 in fees for the five FM

MESA BROADCASTING COMPANY

translators listed above, which we have paid to the Commission for FY 2000.

I certify that the statements made in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.



John W. Hough,  
President of Mesa Broadcasting Company